

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES,

Plaintiff,

v.

EDWARD D. MARSHALL,

Defendant.

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CASE NO. 1:20-cr-00329-1

ORDER
[Resolving Doc. 78]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

In this criminal case, Defendant Edward Marshall moved for a sentence reduction under U.S. Sentencing Guidelines Amendment 821 and 18 U.S.C. § 3582(c)(2). Specifically, Marshall asked the Court to reduce his sentence from 72 months to 60 months.¹

The Court granted Marshall's motion and reduced Marshall's sentence to 60 months.² Doing so reduced Marshall's sentence to less than time served.³ However, sentences cannot be reduced to less than time served when the sentence reduction is based on a retroactive Sentencing Guidelines amendment.⁴

Therefore, Marshall asks the Court to amend his sentence reduction to time served.⁵ The Court **GRANTS** Marshall's request and amends Marshall's sentence reduction to **TIME SERVED**.

¹ Doc. 68 at 2.

² Doc. 77.

³ See Doc. 78 at 1; Doc. 78-1.

⁴ [U.S.S.G. §1B1.10\(b\)\(2\)\(C\)](#).

⁵ Doc. 78.

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GWIN, J.

IT IS SO ORDERED.

Dated: February 22, 2024

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE